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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 131 Session of  
2017

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INTRODUCED BY EICHELBERGER, VOGEL, BREWSTER, VULAKOVICH,  
SCHWANK, WARD, COSTA, STEFANO, GORDNER, AUMENT, FOLMER,  
RAFFERTY AND DiSANTO, JANUARY 20, 2017

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REFERRED TO STATE GOVERNMENT, JANUARY 20, 2017

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AN ACT

1 Amending Title 65 (Public Officers) of the Pennsylvania  
2 Consolidated Statutes, in ethics standards and financial  
3 disclosure, further providing for definitions, for restricted  
4 activities, for statement of financial interests and for  
5 penalties.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 1102 of Title 65 of the Pennsylvania  
9 Consolidated Statutes is amended by adding a definition to read:

10 § 1102. Definitions.

11 The following words and phrases when used in this chapter  
12 shall have, unless the context clearly indicates otherwise, the  
13 meanings given to them in this section:

14 \* \* \*

15 "Cash." United States currency and coin and foreign currency  
16 and coin.

17 \* \* \*

18 Section 2. Section 1103 of Title 65 is amended by adding a  
19 subsection to read:

1 § 1103. Restricted activities.

2 \* \* \*

3 (c.1) Accepting a gift of cash.--

4 (1) No public official, public employee or nominee or  
5 candidate for public office may solicit or accept a gift of  
6 cash.

7 (2) This subsection does not apply to any gift or gifts  
8 received from a spouse, parent, parent by marriage, sibling,  
9 child, grandchild, other family member or friend when the  
10 circumstances make it clear that the motivation for the  
11 action was a personal or family relationship.

12 (3) For the purposes of this subsection, the term  
13 "friend" does not include a registered lobbyist or an  
14 employee of a registered lobbyist.

15 \* \* \*

16 Section 3. Section 1105(b) and (c) of Title 65 are amended  
17 and the section is amended by adding a subsection to read:

18 § 1105. Statement of financial interests.

19 \* \* \*

20 (b) Required information.--The statement shall include the  
21 following information for the prior calendar year with regard to  
22 the person required to file the statement:

23 (1) Name, address and public position.

24 (2) Occupation or profession.

25 (3) Any direct or indirect interest in any real estate  
26 which was sold or leased to the Commonwealth, any of its  
27 agencies or political subdivisions, or purchased or leased  
28 from the Commonwealth, any of its agencies or political  
29 subdivisions, or which was the subject of any condemnation  
30 proceedings by the Commonwealth, any of its agencies or

1 political subdivisions.

2 (4) The name and address of each creditor to whom is  
3 owed in excess of \$6,500 and the interest rate thereon.  
4 However, loans or credit extended between members of the  
5 immediate family and mortgages securing real property which  
6 is the principal or secondary residence of the person filing  
7 shall not be included.

8 (5) The name and address of any direct or indirect  
9 source of income totaling in the aggregate \$1,300 or more.  
10 However, this provision shall not be construed to require the  
11 divulgence of confidential information protected by statute  
12 or existing professional codes of ethics or common law  
13 privileges.

14 (6) The name and address of the source and the amount of  
15 any gift [or gifts valued in the aggregate at \$250 or] of  
16 more than \$50 and the circumstances of each gift. This  
17 paragraph shall not apply to a gift or gifts received from a  
18 spouse, parent, parent by marriage, sibling, child,  
19 grandchild, other family member or friend when the  
20 circumstances make it clear that the motivation for the  
21 action was a personal or family relationship. However, for  
22 the purposes of this paragraph, the term "friend" shall not  
23 include a registered lobbyist or an employee of a registered  
24 lobbyist.

25 (7) The name and address of the source and the amount of  
26 any payment for or reimbursement of an actual [expenses]  
27 expense for transportation and lodging or hospitality  
28 received in connection with public office or employment where  
29 such actual [expenses] expense for transportation and lodging  
30 or hospitality [exceed \$650 in an aggregate amount per year]

1 exceeds \$100. This paragraph shall not apply to expenses  
2 reimbursed by a governmental body or to expenses reimbursed  
3 by an organization or association of public officials or  
4 employees of political subdivisions which the public official  
5 or employee serves in an official capacity.

6 (8) Any office, directorship or employment of any nature  
7 whatsoever in any business entity.

8 (9) Any financial interest in any legal entity engaged  
9 in business for profit.

10 (10) The identity of any financial interest in a  
11 business with which the reporting person is or has been  
12 associated in the preceding calendar year which has been  
13 transferred to a member of the reporting person's immediate  
14 family.

15 (b.1) Voluntary information.--A person required to file a  
16 statement of financial interests may voluntarily report a gift,  
17 payment or reimbursement that is below the monetary threshold  
18 for reporting under subsection (b) (6) or (7).

19 (c) Reporting amounts.--Except [where an amount is] as  
20 required to be reported pursuant to subsection (b) (6) and (7),  
21 the statement of financial interests need not include specific  
22 amounts for the items required to be listed.

23 \* \* \*

24 Section 4. Section 1109(a) of Title 65 is amended to read:  
25 § 1109. Penalties.

26 (a) Restricted activities violation.--Any person who  
27 violates the provisions of section 1103(a), (b) [and (c)], (c)  
28 and (c.1) (relating to restricted activities) commits a felony  
29 and shall, upon conviction, be sentenced to pay a fine of not  
30 more than \$10,000 or to imprisonment for not more than five

1 years, or both.

2 \* \* \*

3 Section 5. This act shall take effect as follows:

4 (1) The following provisions shall take effect  
5 immediately:

6 (i) The addition of the definition of "cash" in 65  
7 Pa.C.S. § 1102 and the amendment or addition of 65  
8 Pa.C.S. §§ 1103(c.1) and 1109(a).

9 (ii) This section.

10 (2) The remainder of this act shall take effect in 60  
11 days.